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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/695,516
Applicant : John D. WAGSTAFF et al.
Filed : 29 October 2003
TC/A.U. : 1654
Examiner : Jennifer I. HARLE

Confirmation No.: 8073

Docket No. : 2314-271
Customer No. : 6449

TERMINAL DISCLAIMER

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The owner, COGNETIX, INC., of one hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of **prior patent** No. 6,489,298 as the term of said prior patent is defined in 35 U.S.C. §§ 154 to 156 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the said **prior patent** is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the **prior patent**, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that any of said **prior patent**: expires

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Terminal Disclaimer
Application No. 10/695,516
Page 2

for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

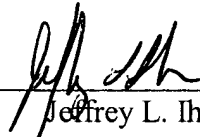
The undersigned is an attorney of record.

The terminal disclaimer fee under 37 C.F.R. 1.20(d) is included.

Respectfully submitted,

ROTHWELL, FIGG, ERNST & MANBECK, p.c.

By



Jeffrey L. Ihnen
Registration No. 28,957
Attorney for Applicant
1425 K Street, N.W., Suite 800
Washington, D.C. 20005
phone: 202-783-6040
fax: 202-783-6031

FEE TRANSMITTAL for FY 2005 (Small Entity)		Complete if Known	
		Application Number	10/695,516
		Filing Date	29 October 2003
		First Named Inventor	John D. WAGSTAFF et al.
		Examiner Name	Jennifer I. HARLE
		Group Art Unit	1654
<input checked="" type="checkbox"/> Applicant claims small entity status		Attorney Docket Number	2314-271
Total Amount of Payment	\$65.00	Confirmation Number	8073

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge the fees indicated below or credit overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 02-2135.
2. ☐ Payment by check enclosed

FEE CALCULATION
1. FILING, SEARCH AND EXAMINATION FEES

Code	Fee	Fee Description	Fee Paid
1001	150	Utility Filing Fee	[]
	395	filed before Dec. 8, 2004	[]
1111	250	Utility Search Fee	[]
1311	100	Utility Examination Fee	[]
1002	100	Design Filing Fee	[]
	175	filed before Dec. 8, 2004	[]
1112	50	Design Search Fee	[]
1312	65	Design Examination Fee	[]
1003	100	Plant Filing Fee	[]
	275	filed before Dec. 8, 2004	[]
1113	150	Plant Search Fee	[]
1313	80	Plant Examination Fee	[]
1004	150	Reissue Filing Fee	[]
	395	filed before Dec. 8, 2004	[]
1114	250	Reissue Search Filing Fee	[]
1314	300	Reissue Examination Fee	[]
1005	100	Provisional Filing Fee	[]

SUBTOTAL \$
2. CLAIMS

	Extra Claims	Fee	Fee Paid
Total Claims [] - 20* = [] x		\$25 = []	
Independent Claims [] - 3* = [] x		100 = []	
Multiple Dependent Claims +		180 = []	

*or number previously paid, if greater

SUBTOTAL \$
3. APPLICATION SIZE FEE

 Total Sheets [] - 100 = []/50 = []** x \$125 =
 ** Number of each additional 50 or fraction thereof

SUBTOTAL \$
FEE CALCULATION (continued)
4. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	65	Surcharge - late filing fee or oath	[]
1052	50	Surcharge - late provisional filing fee or cover sheet	[]
1053	130	Non-English specification	[]
1812	2,520	For filing a request for reexamination	[]
1804	920	Requesting publication of SIR prior to Examiner action	[]
1805	1,840	Requesting publication of SIR after Examiner action (reduced by basic filing fee paid)	[]
1251	60	Extension for reply within first month	[]
1252	225	Extension for reply within second month	[]
1253	510	Extension for reply within third month	[]
1254	795	Extension for reply within fourth month	[]
1255	1,080	Extension for reply within fifth month	[]
1401	250	Notice of Appeal	[]
1402	250	Filing a brief in support of an appeal	[]
1403	500	Request for Oral Hearing	[]
1451	1,510	Petition to institute a public use proceeding	[]
1452	250	Petition to revive -unavoidable	[]
1453	750	Petition to revive - unintentional	[]
1807	50	Processing fee under 37 CFR 1.17(q)	[]
1806	180	Submission of Information Disclosure Statement	[]
1809	395	Filing a submission after final rejection (37 CFR 1.129(a))	[]
1810	395	For each additional invention to be examined (37 CFR 1.129(b))	[]
1801	395	Request for Continued Examination (RCE)	[]
1802	900	Request for expedited examination of a design application	[]
1504	300	Publication fee for early, voluntary, or normal publication	[]
1505	300	Publication fee for republication	[]
1455	200	Filing application for patent term adjustment	[]
1456	400	Request for reinstatement of term reduced	[]
1814	65	Statutory Disclaimer	[]
Other fee (specify)			[\$65]

SUBTOTAL \$65.00

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957		
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	02-2135